

Charter

2003

Cape Cod National Seashore Advisory Commission

A. DESIGNATION

The official designation of the commission is the Cape Cod National Seashore Advisory Commission.

B. PURPOSE

The purpose of the Commission is to consult with the Secretary of the Interior, or the Secretary's designee, with respect to matters relating to the development of the Cape Cod National Seashore, and with respect to carrying out the provisions of sections 4 and 5 of the Act establishing the Seashore. Additionally, the advice of the Commission shall be sought before the issuance of permits for industrial or commercial use of property within the Seashore, and before the establishment of any public use area for recreational activity within the Seashore, and any proposed action which would create a substantive change in natural conditions or in existing structures within the Seashore.

C. DUTIES AND RESPONSIBILITIES

The duties of the Commission are solely advisory and are as stated in paragraph B above.

D. MEMBERSHIP

1. The Commission will consist of 10 members, appointed by the Secretary of the Interior, as follows:

- a. Six members appointed from recommendations made by each of the boards of selectmen of the towns of Chatham, Eastham, Orleans, Provincetown, Truro, and Wellfleet, Commonwealth of Massachusetts; one member from the recommendations made from each such board;
- b. One member appointed from recommendations of the county commissioners of Barnstable County, Commonwealth of Massachusetts;
- c. Two members appointed from recommendations of the Governor of the Commonwealth of Massachusetts; and
- d. One member appointed at the discretion of the Secretary.

2. The member appointed by the Secretary under subparagraph 1d shall represent interests other than those of the Federal, State, or local government.
3. Each agency or organization will appoint one member and one alternate.
4. The Secretary will designate one member to be Chair.
5. Members will be appointed for 2-year terms. If no new member is appointed on or prior to the expiration date of an incumbent's term, then the incumbent member may continue to serve until the new appointment is made.
6. Any vacancy on the Commission will be filled in the same manner in which the original appointment was made.
7. A majority of members appointed at the time of any meeting will constitute a quorum.
8. Any member who fails to attend three successive meetings of the Commission or who otherwise fails to substantively participate in the work of the Commission, may be removed from the Commission by the Secretary and a replacement named.
9. Members of the Commission will serve without compensation as such. However, the Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities upon presentment of vouchers signed by the Chair.
10. The Commission reports to the Regional Director, Northeast Region, National Park Service, 200 Chestnut Street, Philadelphia, Pennsylvania 19106.

E. ETHICS RESPONSIBILITIES OF MEMBERS.

A member may not participate in matters that will directly affect, or appear to affect, the financial interests of the member or the member's family or business. Compensation from employment does not constitute a financial interest of the member so long as the matter before the Commission will not have a special or distinct effect on the member or the member's employer, other than as part of a class.

F. ADMINISTRATION

1. CHARTER. The Commission is subject to the provisions of the Federal

Advisory Committee Act (FACA), 5 U.S.C. Appendix (1994) and may take no action unless the charter filing requirements of Sections 9 and 14(b) of the Act have been complied with. The provisions of Section 14(b) of the FACA requiring a biennial rechartering are inapplicable to the Commission pursuant to Section 301 of Public Law 102-525, October 26, 1992. However, there will be a biennial review of the Commission to determine if its goals and objectives have been fulfilled.

2. **DESIGNATED FEDERAL OFFICIAL.** The Superintendent, Cape Cod National Seashore, National Park Service, or in the Superintendent's absence, a Federal employee designated by the Superintendent, will serve as the Designated Federal Official, as required by Section 10 of the Federal Advisory Committee Act.
3. **CHAIRPERSON.** The Secretary shall designate one member to be Chair.
4. **QUORUM.** A majority of members appointed at the time of any meeting will constitute a quorum.
5. **SUBCOMMITTEES.** The Commission may create, from among its membership supplemented when appropriate by members of the public, formal subcommittees or subgroups, or ad hoc committees formed for special purposes, provided that the role of such committees shall be solely to gather information or conduct research for the Commission, or to analyze relevant issues and facts, or to draft proposed position papers for deliberation by the Commission. Membership on all subcommittees shall be determined by the Chair.
6. **MEETINGS.** The Commission meets approximately six times a year. All meetings of the Commission shall be subject to the provisions of the FACA, 5 U.S.C. Appendix (1994). The Commission renders advice formally by affirmative vote of a majority of its members, and informally through discussion and consensus processes.
7. **SUPPORT AND COSTS.** Support for the Commission is provided by the National Park Service, Department of the Interior. The estimated annual operating cost of the Commission is \$7,000, which includes approximately ¼ work-year of staff support.

G. **DURATION AND DATE OF TERMINATION**

The Commission will carry out its duties until September 26, 2008, at which time the Commission will terminate pursuant to Public Law 87-126, as amended by Public Law 105-280, October 26, 1998. All appointments will terminate with the Commission.

H. AUTHORITY

The Cape Cod National Seashore Advisory Commission is established by Section 8 of Public Law 87-126, August 7, 1961, as amended by Public Law 105-280, October 26, 1998.

\s\ Gale A. Norton

January 15, 2004

Secretary of the Interior

Date Signed

January 23, 2004

DATE CHARTER FILED